

**PUBLIC SAFETY  
AND  
LEGAL ADMINISTRATION COMMITTEE**

**MINUTES**

**DECEMBER 1, 2009**

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, December 1, 2009 at 4:13 p.m., in Committee Room #2.** The following members were present:

**The Honorable Cleta Winslow, Chair  
The Honorable C. T. Martin, Vice-Chair  
The Honorable Kwanza Hall  
The Honorable Anne Fauver  
The Honorable H. Lamar Willis  
The Honorable Joyce Sheperd**

Others present at the meeting were: Jerry Deloach, Amber Robinson and Dianne Mitchell, Law Department; Deputy Chief George Turner, Police Department; Deputy Chief Wilmond Meadows, Atlanta Fire and Rescue Department; Diane Jones, Department of Corrections; media, public and council staff.

Chair Cleta Winslow called the meeting to order at 4:13 p.m. after declaring a quorum present. She then proceeded with the following order of business.

**A.    ADOPTION OF MINUTES- ADOPTED AS AMENDED TO ADD SIX  
RESOLUTIONS**

**B.    APPROVAL OF MINUTES - APPROVED**

**CONSENT**

**C.    RESOLUTIONS**

**Claims with favorable recommendations:**

- |                |                                                                                                                                                                                                                                       |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 09-R-2065 ( 1) | Claim of <b><u>Edward J. Mills</u></b> , for damages alleged to have been sustained as a result of a sewer main break on December 9, 2008 at 2400 Bohler Road, NW. <span style="float: right;"><b><u>\$155,000.00</u></b></span>      |
| 09-R-2066 ( 2) | Claim of <b><u>Jane Wheeler</u></b> , for damages alleged to have been sustained as a result of a tree falling onto her driveway on June 17, 2009 at 353 Palisades Road. <span style="float: right;"><b><u>\$13,489.50</u></b></span> |

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 09-R-2067 ( 3)      Claim of **Jeanette Utley, through her attorney, Cedric B. Davis**, for damages alleged to have been sustained as a result of a trip and fall incident on an unsecured water meter lid on May 4, 2008 at 5225 Campbellton Road and Boat Rock Road. **\$12,500.00**
- 09-R-2068 ( 4)      Claim of **Lauren C. Littlewood, through her attorney, Jean E. Johnson, Jr.**, for damages alleged to have been sustained as a result of a trip and fall incident in an uncovered water meter on April 16, 2009 at 3180 Roswell Road. **\$12,500.00**
- 09-R-2069 ( 5)      Claim of **State Farm Insurance Companies, as subrogee of Francine Redmond**, for damages alleged to have been sustained as a result of a vehicular accident on June 24, 2009 at Moreland Avenue and Custer Avenue. **\$7,199.30**
- 09-R-2070 ( 6)      Claim of **Gerard J. Labrie, through his attorney, Mark-Robert Bluemel**, for damages alleged to have sustained as a result of a trip and fall incident in an uncovered water meter on March 16, 2008 at 94 Cone Street, NW. **\$6,000.00**
- 09-R-2071 ( 7)      Claim of **Joe Sanders, through his attorney, David R. Moore and Emory-Adventist Hospital c/o ACI**, for damages alleged to have been sustained as a result of an automobile accident on February 27, 2009 on I-285 Northbound at Atlanta Road. **\$4,761.00**  
**and**  
**\$239.00**
- 09-R-2072 ( 8)      Claim of **Lana Strozier, through her attorney, Ahkibah Hall**, for damages alleged to have been sustained as a result of an automobile accident on November 29, 2008 at 9700 Spine Road. **\$4,200.00**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 09-R-2073 ( 9)      Claim of **Jeani Bazan**, for damages alleged to have been sustained as a result of a water meter tail piece leak in March 2008 at 2896 Lookout Place. **\$4,023.00**
- 09-R-2074 (10)      Claim of **Lorene P. Allen, through her attorney, Calvin D. Biggers**, for damages alleged to have been sustained as a result of striking a pothole on June 2, 2009 at 3000 Lenox Road. **\$3,500.00**
- 09-R-2075 (11)      Claim of **Audrie Davis-Jones, through her attorney, Ahkibah Hall**, for damages alleged to have been sustained as a result of an automobile accident on November 29, 2008 at 9700 Spine Road. **\$3,500.00**
- 09-R-2076 (12)      Claim of **Ileana Bacon**, for damages alleged to have been sustained as a result of walking on an uncovered water meter box on February 25, 2009 at 1100 Spring Street. **\$3,300.00**
- 09-R-2077 (13)      Claim of **Brent and Lelia Brougher**, for damages alleged to have been sustained during the repair of a water main on September 15, 2007 at 3475 Valley Road. **\$3,094.03**
- 09-R-2078 (14)      Claim of **Jason Hunter**, for damages alleged to have been sustained as a result of striking a pothole on September 26, 2009 at 3369 Lenox Road. **\$2,570.43**
- 09-R-2079 (15)      Claim of **Alice Lee**, for damages alleged to have been sustained as a result of a trip and fall incident in an uncovered water meter on May 9, 2008 at 257 Peter Street, SW. **\$2,500.00**
- 09-R-2080 (16)      Claim of **Carter Doyal Holland**, for damages alleged to have been sustained as a result of a sewer backup on January 5, 2009 at 1560 Cave Road. **\$2,447.98**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 09-R-2081 (17) Claim of **Tonya S. Lowe**, for property damages alleged to have been sustained when a Solid Waste truck leaked hydraulic fuel on the lawn and residence on May 26, 2009 at 791 Erin Avenue, SW. **\$1,750.00**
- 09-R-2082 (18) Claim of **Jay C. Seright**, for vehicular damages alleged to have been sustained as a result of a fallen tree limb on August 7, 2009 at 2260 Cascade Road, SW. **\$1,293.90**
- 09-R-2083 (19) Claim of **Ryan and Jay H. Tinkoff**, for damages alleged to have been sustained as a result of striking a pothole on August 2, 2009 at 469 10<sup>th</sup> Street. **\$1,128.14**
- 09-R-2084 (20) Claim of **Tenecia Parks**, for property damages alleged to have been sustained from when a driveway was broken by a City Solid Waste vehicle that preformed backyard pickup service in March 2009 at 1260 Centra Villa Drive. **\$1,125.00**
- 09-R-2085 (21) Claim of **Theodore Morton**, for property damages alleged to have been sustained from an automobile accident on July 22, 2009 at 1120 North Avenue, NW. **\$904.67**
- 09-R-2086 (22) Claim of **Tambria Troy**, for vehicular damages alleged to have been sustained from a pothole on March 13, 2009 at 1318 Campbellton Road, SW. **\$861.84**
- 09-R-2087 (23) Claim of **John R. Skelton**, for vehicular damage alleged to have been sustained from driving over a pothole in the road on September 21, 2009 at 1020 Juniper Street, NE. **\$820.28**
- 09-R-2088 (24) Claim of **Daniel Greene**, for vehicle damages alleged to have been sustained as a result of driving over a failed construction cut on May 1, 2009 at 471 Loridans Drive. **\$815.02**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 09-R-2089 (25) Claim of **Robert Tabaka**, for vehicular damages alleged to have been sustained after driving over a sanitary sewer metal plate that was left in an open and unsafe condition on September 22, 2009 at 190 Lakeview Avenue. **\$780.88**
- 09-R-2090 (26) Claim of **Daphne Collins**, for vehicular damages alleged to have been sustained after driving over a water construction site that was left in an open and unsafe condition from June-August 2009 at 3399 Collier Road, NW. **\$717.97**
- 09-R-2091 (27) Claim of **Nikita Robinson**, for damages alleged to have been sustained as a result of striking a pothole on September 01, 2009 at 3369 Lenox Road. **\$686.52**
- 09-R-2092 (28) Claim of **Valencia White**, for damages alleged to have been sustained as a result of a trip and fall on June 25, 2009 at 1977 Martin Luther King, Jr. Drive. **\$600.00**
- 09-R-2093 (29) Claim of **Harriet W. Kirkpatrick**, for damages alleged to have been sustained as a result of a trip and fall on an unsecured water meter lid on July 2, 2009 at 75 Ponce de Leon Avenue. **\$595.00**
- 09-R-2094 (30) Claim of **Michael Riley and Laine Riley**, for damages alleged to have been sustained as a result of driving over a pothole on March 3, 2009 at Johnson Ferry Road and Abernathy Road. **\$592.64**
- 09-R-2095 (31) Claim of **Matthew Veal**, for damages alleged to have been sustained as a result of striking a pothole on August 30, 2009 at 3405 Lenox Road. **\$573.40**
- 09-R-2096 (32) Claim of **Philip Spradling**, for vehicle damages alleged to have been sustained as a result of a sewer backup on June 12, 2009 and June 21, 2009 at 244 Peters Street #8. **\$553.14**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 09-R-2097 (33) Claim of **Julius Speed**, for damages alleged to have been sustained as a result of an automobile accident on April 29, 2009 at Pryor Road and University Avenue. **\$532.24**
- 09-R-2098 (34) Claim of **Travelers Insurance Company, as subrogee of Nathan Kramarow**, for damages alleged to have been sustained as a result of a vehicular accident on July 31, 2009 at Peachtree Road and Wieuca Road. **\$9,263.49**
- 09-R-2099 (35) Claim of **GEICO, as subrogee of Sarah Kerns**, for damages alleged to have been sustained as a result of an automobile accident on August 4, 2009 at Delevan Street, SW and Garibaldi Street, SW. **\$4,382.86**
- 09-R-2100 (36) Claim of **Justin Barnes**, for vehicle damages alleged to have been sustained as a result of a recessed water valve on September 16, 2009 at 2000 Bolton Road. **\$2,476.95**
- 09-R-2101 (37) Claim of **Renita McCrary**, for vehicle damages alleged to have been sustained as a result of a sewer back-up on November 7, 2008 at 2023 Wells Drive. **\$2,146.00**
- 09-R-2102 (38) Claim of **Dave Payne**, for vehicle damages alleged to have been sustained as a result of a sewer backup on June 12, 2009 and June 21, 2009 at 244 Peters Street #7. **\$1,967.79**
- 09-R-2103 (39) Claim of **Scott Levens**, for property damages alleged to have been sustained from an automobile accident on October 14, 2009 at 386 Georgia Avenue, SE. **\$1,267.05**
- 09-R-2104 (40) Claim of **Mary Ann Dumas**, for vehicular damages alleged to have been sustained when a rock was thrown from a weed eater during a grass cutting project on October 1, 2009 at Woodbine Avenue and Hosea L. Williams Drive, NE. **\$1,175.35**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 09-R-2105 (41) Claim of **The Cincinnati Insurance Companies, as subrogee of Ricky Powers**, for damages alleged to have been sustained as a result of an automobile accident on July 23, 2009 at Montgomery Ferry Road, NE and Monroe Drive, NE. **\$1,501.65**
- 09-R-2106 (42) Claim of **Progressive, as subrogee of Andrea N. Teverczuk**, for damages alleged to have been sustained as a result of striking a damaged sewer manhole lid on June 5, 2009 at 1672 DeKalb Avenue, NE. **\$1,500.63**
- 09-R-2107 (43) Claim of **Sheryl Williams**, for vehicular damages alleged to have been sustained from an automobile accident on March 29, 2009 at 1935 Alison Court, SW. **\$830.46**

**Claims with unfavorable recommendations:**

- 09-R-2108 (44) Claim of **Mr. & Mrs. Cauley T. Caldwell, through their attorney, Charles D. Graham, Esq., The Graham Law Firm**, for bodily injuries alleged to have been sustained when an exit door closed automatically on April 7, 2009 at Hartsfield-Jackson International Airport, 8700 Spine Road.
- 09-R-2109 (45) Claim of **Joseph and Neveen Nuseibah, on behalf of their minor child, Loui Nuseibah, through their attorney, Peter A. Law, PC**, for bodily injuries alleged to have been sustained from riding down an escalator on June 12, 2009 at Hartsfield-Jackson International Airport, 8700 Spine Road.
- 09-R-2110 (46) Claim of **Dixie Electric Company, through its attorney, Kevin S. Dale, Esq., Hendrick Phillips Salzman & Flatt**, for damages alleged to have been sustained when the City failed to ensure that a payment bond was issued on a project on August 12, 2008 at Hartsfield-Jackson International Airport, 8700 Spine Road.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-2111 (47) Claim of **Catherine R. Brunelle, through her employer, Department of the Air Force c/o Air Force Medical Cost Reimbursement Center-Eglin**, for bodily injuries alleged to have been sustained from a slip and fall incident on January 7, 2009 at Hartsfield-Jackson International Airport, 8700 Spine Road.
- 09-R-2112 (48) Claim of **State Farm Insurance Companies, as subrogee of Errin Thomas**, for vehicular damages alleged to have been sustained from an automobile fire on September 20, 2009 at Hartsfield-Jackson International Airport, 8700 Spine Road.
- 09-R-2113 (49) Claim of **Ines Sierra, through her attorney, David J. Brauns, Esq., Brauns Law, PC**, for bodily injuries alleged to have been sustained from a slip and fall incident on July 21, 2009 at Hartsfield-Jackson International Airport, 8700 Spine Road.
- 09-R-2114 (50) Claim of **Kobe Adeleke-Hokes, through her attorney, James J. Kelleher, Esq.**, for bodily injuries alleged to have been sustained from an escalator incident on August 9, 2009 at Hartsfield-Jackson International Airport, 8700 Spine Road.
- 09-R-2115 (51) Claim of **Kenneth Gilmore**, for property damages alleged to have been sustained when a tree fell and struck a parked vehicle on March 23, 2009 at 954/958 Myrtle Street, NE.
- 09-R-2116 (52) Claim of **Deandre Avery, through his attorney, Michael O Mondy, PC**, for damages alleged to have been sustained when excessive force was used during an arrest on December 15, 2008 at an unspecified location.
- 09-R-2117 (53) Claim of **Emma Perez**, for damages alleged to have been sustained as a result of a vehicular accident on September 15, 2008 at 1205 Mansfield Avenue.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-2118 (54) Claim of **Willie Akins, through her attorney, L. Chris Stewart**, for damages alleged to have been sustained as a result of a slip and fall incident on June 15, 2009 at Adamsville Recreation Center at 3201 Martin Luther King, Jr. Drive.
- 09-R-2119 (55) Claim of **Sandra L. Arnold**, for damages alleged to have been sustained from aircraft noise on February 1, 2009 at 4296 Cedar Valley Court.
- 09-R-2120 (56) Claim of **David Harris and Bobbie Wagoner, through their attorney, Mary Carole Cooney, Esq.**, for property damages alleged to have been sustained from flooding on an unspecified date at 759 Adair Avenue.
- 09-R-2121 (57) Claim of **Leshawn Lee, through his attorney, Amanda Phillips Roux**, for damages alleged to have been sustained as a result of an arrest on an undisclosed date and location.
- 09-R-2122 (58) Claim of **Esurance, as subrogee of Andre Beasley**, for damages alleged to have been sustained as a result of an automobile accident on July 20, 2009 at 1127 Cascade Avenue.
- 09-R-2123 (59) Claim of **Katurah Butler, a minor child, through her attorney, James Kelleher**, for damages alleged to have been sustained as a result of an injury when a desk fell on September 24, 2009 at 601 Beckwith Street, Coretta Scott King Women's Leadership Academy.
- 09-R-2124 (60) Claim of **Traci Hart**, for damages alleged to have been sustained as a result of a water pressure surge on December 8, 2008 at 993 Seaboard Avenue.
- 09-R-2125 (61) Claim of **Sarah A. Clemons**, for damages alleged to have been sustained due to a confrontation during the arrest of a suspect on August 29, 2009 at 911 Simpson Street, NW.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-2126 (62) Claim of **Jane S. Lynn**, for damages alleged to have been sustained as a result of a fallen tree on September 19, 2009 at 730 Old Ivy Road.
- 09-R-2127 (63) Claim of **J. David Robertson and Clyde T. Carpenter**, for property damages alleged to have been sustained when a tree fell and struck a residence on April 13, 2009 at 456 Overbrook Drive.
- 09-R-2128 (64) Claim of **Boardworks Outdoor Advertising Company, Inc., through its attorney, Lisa S. Moran Chower, Esq., Berman Fink Van Horn, P.C.**, for damages alleged to have been sustained when a sign permit was denied on November 20, 2006 for 1335 Mayson Street.
- 09-R-2129 (65) Claim of **Progressive Select Insurance Company, as subrogee of Teresa Pratt**, for vehicular damages alleged to have been sustained after driving over an uncovered manhole on August 9, 2009 at McDonough Boulevard and Gault Street.
- 09-R-2130 (66) Claim of **Moshe Williams, through his attorney, David Lipton**, for damages alleged to have been sustained as a result of an automobile accident on May 10, 2009 at Interstate 20 Eastbound Ramp at Joseph E. Lowery Boulevard.
- 09-R-2131 (67) Claim of **George Rainey**, for damages alleged to have been sustained as a result of an automobile accident on May 17, 2009 at 3488 Mt. Gilead Road.
- 09-R-2132 (68) Claim of **Jallalo Yussuf, through his attorney, Kristofer R. Schleicher, Esq., Joyce Thrasher Kaiser & Liss, LLC**, for damages alleged to have been sustained when excessive force was used during an arrest on March 2, 2009 at 4000 N. Terminal Parkway.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-2133 (69) Claim of **Theodora Garreau, through her attorney, William P. Claxton, Claxton & Claxton, LLC**, for damages alleged to have been sustained from an incident involving Grady Memorial Hospital employees on January 25, 2009 at 80 Jesse Hill, Jr. Drive, SE.
- 09-R-2134 (70) Claim of **Gail Silverstein**, for property damages alleged to have been sustained when a sprinkler system was compromised during a sidewalk installation project in May 2009 at 553 Collier Road, NW.
- 09-R-2135 (71) Claim of **Andrew Wiltz**, for vehicular damages alleged to have been sustained from driving over a construction site that was improperly repaired on June 20, 2009 at 2205 Cheshire Bridge Road.
- 09-R-2136 (72) Claim of **Thomas Anthony Jones, Sr.**, for damages alleged to have been sustained when a Police Officer attempted to confiscate IRS documents on March 6, 2008 at 1920 Kimberly Road.
- 09-R-2137 (73) Claim of **Jasmine Kincaid**, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on September 1, 2008 at 471 10<sup>th</sup> Street.  
**(Councilmember Martin made a motion to approve Items C1-C73.)**

**FAVORABLE**

**D. ORDINANCE FOR SECOND READING**

- 09-O-1999 ( 1) A **Substitute** Ordinance by Public Safety and Legal Administration Committee amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Police by adding to anticipations and appropriations the amount of \$2,661,925.00 for grant funds from the White House Office of National Drug Control Policy ("White House") for the continuation of the High Intensity Drug Trafficking Area ("HIDTA") Task Force and continued disruption of Drug Trafficking Organizations; and for other purposes.  
**(Councilmember Martin made a motion to approve on substitute.)**

**FAVORABLE ON SUBSTITUTE**

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**E. RESOLUTION**

- 09-R-2138 ( 1)     A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate contractual agreement, for FC-4823, Inmate Telephone System, on behalf of the Atlanta City Detention Center (ACDC), with Securus Technologies, Inc., for the purpose of providing an Inmate Telephone System that records and monitors calls; and provides a method for collect calling for detainee, to their families and friends. This agreement authorizes Securus Technologies, Inc., to provide Inmate Telephone Service for the ACDC for a period of two (2) years with the option of two (2) one (1) year renewals. Provider shall pay a commission of fifty-five percent [55%] of the gross revenue on collect calls and prepaid cards. All commissions shall be deposited to, 7701 (Trust Fund), 090201 (Correctional Food Services), 3423001 (Proceeds from Inmates), 3420000 (Adult Correctional Institutions), 600270 (Inmate Deposits), 69999 (Non-Capital Trust Projects); and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**F. PAPERS HELD IN COMMITTEE**

- 06-R-0433 ( 1)     Claim of **Robert Colgin**, for damages alleged to have been sustained as a result of flooding on July 9, 2005 at 3340 Chatham Road, NW.  
**(Councilmember Winslow made a motion to adverse)**

**ADVERSE**

- 06-O-1044 ( 2)     An Ordinance by Councilmembers H. Lamar Willis and C. T. Martin to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article 2, Section 162-61(a) and Chapter 162, Article 2, Section 162-34(f) to allow short breaks in service for Taxicabs; to allow the Chief of Police or his designee, discretion to grant further extension for correction slip matters; to repeal conflicting ordinances; and for other purposes. **(Held 5/9/06 at the request of Councilmember Martin)**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 07-O-1795 ( 3)     An Ordinance by Councilmember H. Lamar Willis to establish Chapter 21 of the Code of Ordinances of the City of Atlanta entitled "Transportation of Hazardous Materials"; to create a new Article I to be entitled "Terrorism Prevention in Hazardous Materials Transportation Act of 2007," to create a new Division 1 to be entitled "Terrorism Prevention in Hazardous Materials Transportation Act of 2007"; so as to prohibit large shipments of certain extremely hazardous materials near the City of Atlanta in an effort to reduce the risk of attacks by terrorists; to allow for the issuance of permits authorizing such shipments in special cases; to require the Mayor to issue regulations to implement the provisions of this act; and for other purposes. **(Held 8/28/07 for further review.)**
- 08-O-0190 ( 4)     An Ordinance by Councilmember H. Lamar Willis to amend Chapter 30, Article II of the City Code of Ordinances to reflect new fees for owners of Adult Entertainment establishments which sell alcohol to provide for certain programs for the prevention of sexual assault; and for other purposes. **(Held 1/29/08 at the request of the author)**
- 08-O-0507 ( 5)     An Ordinance by Councilmember Mary Norwood to create a new Section 106-15 of the Code of Ordinances of the City of Atlanta, Georgia, to be entitled "Loitering"; and for other purposes. **(Held 3/11/08 for further review by the Law Department)**
- 08-O-0884 ( 6)     An Ordinance by Finance/Executive Committee to amend Chapter 10, Article I, Section 10-1 of the Code of Ordinances, City of Atlanta, Georgia, so as to amend the definition of the word "Restaurant" to more closely reflect the definition of the term "Bona Fide Full-Service Restaurant" contained in Chapter Three of the Official Code of Georgia Annotated; to repeal conflicting ordinances; and for other purposes. **(Held 5/27/08 for further review)**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 08-O-1147 ( 7)     A **Substitute** Ordinance by Public Safety and Legal Administration Committee to amend the Charter of the City of Atlanta, Georgia, adopted under the authority of the Municipal Home Rule Act of 1965, O.C.G.A. 36-35-1 et seq., as amended, to amend the Charter of the City of Atlanta, Georgia, 1996 Ga. Laws, P. 4469, et seq., by amending Article 4, Courts, Sections 4-106 and 4-109 regarding the appointment of Judges Pro Hac Vice to the Municipal Court of Atlanta; to repeal conflicting ordinances; and for other purposes. **(Referred back from Council, on substitute - 3<sup>rd</sup> Reading, Final Adoption) (Held 2/24/09)**
- 08-O-1211 ( 8)     An Ordinance by Councilmembers H. L. Willis, C. T. Martin, Ivory L. Young, Jr. and Mary Norwood to create a separate Department/Organization (Dept/Org) to account for the activity of the Citizen Review Board (CRB); to move funds budgeted in the FY 2008 General Fund Budget in the Police Department's Public Affairs Unit for the purposes of the CRB; and for other purposes. **(Held 6/10/08 for further review)**
- 08-O-1252 ( 9)     An Ordinance by Councilmember Howard Shook to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 10, Article II, Division 2, Section 10-94(a), to exempt certain properties from the distance requirements of 10-88 for the sale of alcoholic beverages for consumption on the premises; and for other purposes. **(Held 7/1/08 at the request of the Law Department)**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 08-O-1289 (10) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 10, Article II, Division 2, Section 10-61, Entitled "Date for Payment of License Fees; Prorated Fees", to provide for an expiration date for all licenses issued under Division 2 of Chapter 10, Article II of Code of Ordinances; to change the date by which all Annual License Fees and Renewal Applications of all Annual Licenses issued under Division 2 of Chapter 10, Article II of the City of Atlanta Code of Ordinances must be submitted; to provide for prorated fees based upon the new deadline; to set forth that the effective date of this amendment shall be January 2, 2009; to repeal conflicting ordinances; and for other purposes. **(Held 7/15/08 at the request of the Law Department)**
- 08-O-1544 (11) An Ordinance by Councilman C. T. Martin to amend Section 162-78 (a) (3) and (6) (Taxicabs and Vehicles for Hire) of the Code of Ordinances of the City of Atlanta, Georgia so as to eliminate the Annual Fingerprinting Requirement for Taxicab Drivers and to change the Driver's Training Course Requirement from annually to every three years; to waive conflicting ordinances; and for other purposes. **(Referred back by Full Council on 8/18/08) (Held 8/26/08 for further review.)**
- 08-O-1753 (12) An Ordinance by Councilmember Mary Norwood to amend Article XXIV entitled "Vending on Private Property"; and for other purposes. **(Held 9/9/08 for further review.)**
- 08-O-2436 (13) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 2, Article XVI, Division 11, Section 2-2211 and Chapter 2, Article XVI, Division 11, Section 2-2212 to provide for the disclosure of public police and corrections documents to the Citizen Review Board; to amend Chapter 98, Article II, Section 98-26(b)(3) and Chapter 98, Article IV, Section 98-153(b)(3) to require the Chiefs of Police and Corrections to appear before the Citizen Review Board upon request and set forth the reasons for delays in internal investigations into their employees' conduct; and for the other purposes. **(Held 1/13/09) (Held 4/28/08 for a work session)**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 09-O-0389 (14) An Ordinance by Public Safety and Legal Administration Committee to amend Section 10-75 (5) of the Code of Ordinances of the City of Atlanta, Georgia ("The Alcoholic Beverage Code") so as to correct a Code Section reference error contained therein; to waive conflicting ordinances; and for other purposes. **(Held 3/10/09 for further review)**
- 09-R-0722 (15) Claim of **Tracy Dummett**, for damages alleged to have been sustained from a police shooting incident on October 16, 2008 at 1500 Langston Avenue. **(Held 4/28/09 at the request of Councilmember Sheperd for further review by the Law Department.)**
- 09-O-1178 (16) An Ordinance by Public Safety and Legal Administration Committee to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article II, Division 1, Section 162-36 to require that the dome lights, with which the roofs of all taxicabs must currently be affixed, be wired in such a way as to minimize the possibility of injury for the purpose of protecting the safety of taxicab drivers and passengers; and for other purposes. **(Held 7/14/09 for further discussions.)**
- 09-O-1179 (17) An Ordinance by Public Safety and Legal Administration Committee to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Vehicles for Hire, to provide for a definition of taxicab safety equipment; to require signage on applicable taxicabs alerting passengers to the presence of a Digital Security Camera System; to require the installation of taxicab safety equipment in all taxicabs; to authorize the Chief of Police or his/her designee to establish, issue and revise rules, procedures and regulations to govern the specifications, installation and maintenance of the taxicab safety equipment, and to provide for enforcement of rules, procedures and regulations for the purpose of protecting the safety of taxicab drivers and passengers; and for other purposes. **(Held 7/14/09 for further discussions.)**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 09-C-1521 (18) A Communication by Mayor Shirley Franklin appointing **Mr. R. Roger Bhandari** as City Attorney. **(Held 9/15/09 at the request of the Administration.)**
- 09-C-1525 (19) A Communication by Mayor Shirley Franklin appointing **Ms. Katrice T. Hatten** to serve as a Taxicabs and Vehicles for Hire Hearing Officer on behalf of the City of Atlanta. This appointment is for a term of two (2) years scheduled to begin on the date of Council confirmation. **(Held 9/15/09 awaiting Ms. Hatten, to appeal before the committee.)**
- 09-O-1559 (20) An Ordinance by Public Safety and Legal Administration Committee to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article II, Division 1, Section 162-42, entitled Miscellaneous Requirements and Penalties; and Section 162-43, entitled Table of Violations, so as to make it unlawful for drivers of Vehicles for Hire to engage the Child Safety Locks on the rear doors of a vehicle for hire unless otherwise directed; to establish penalties therefore; and for other purposes. **(Held 9/29/09 for further review)**
- 09-R-1681 (21) Claim of **Travelers Insurance Company, as subrogee of Pamela Evans**, for damages alleged to have been sustained as a result of driving over a pothole on April 24, 2009 at 366 Fair Drive.  
**(Councilmember Winslow made a motion to adverse)**  
**ADVERSE**
- 09-R-1691 (22) Claim of **Mr. Alvin Hall**, for damages alleged to have been sustained as a result of driving over a pothole on April 10, 2009 at 366 Fair Drive.  
**(Councilmember Winslow made a motion to adverse)**  
**ADVERSE**

**G. REQUESTED ITEMS**

1. Councilmember Sheperd made a request for a work session on liquor licensing.

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**REQUESTED ITEMS (CONT'D)**

2. Councilmember Sheperd made a request for the Police Department to come back in September for an update on the Auditor's Recommendations regarding the Patrol Officer Availability Audit.
3. Councilmember Willis requested the Police Department to provide him with information regarding the feasibility of purchasing versus leasing a site for the Zone Two Precinct.

**H. ITEMS NOT ON THE AGENDA**

**RESOLUTIONS**

09-R-2180 ( 1)  
\*\*\* A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the case of Bertha Darden and Robert Darden V. City of Atlanta, Georgia, Civil Action File No. 2008-CV-158049, Fulton Superior Court, in the amount of \$95,000.00; authorizing said payment to be paid from Fund 1001 (General Fund) Center Number 200101 (Non-Departmental) Account 5212005 (Litigation Expenses) and 1512000 (Functional Activity); authorizing the Chief Financial Officer to Distribute the settlement amount; and for other purposes.  
**(Councilmember Hall made a motion to approve.)**

**FAVORABLE**

09-R-2181 ( 2)  
\*\*\* A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the case of Margie Walker V. City of Atlanta, Civil Action File No. 2008EV147203, Fulton Superior Court, in the amount of \$325,000.00; authorizing said payment to be charged to and paid from Fund 5051 (Water & Wastewater Revenue Fund), Center Number 170201 (DWM Wastewater Treatment & Collections) Account 5750002 (Property/Liquidation) 4310000 (Sanitary Administration); authorizing the Chief Financial Officer to Distribute the settlement amount; and for other purposes.  
**(Councilmember Hall made a motion to approve.)**

**FAVORABLE**

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**ITEMS NOT ON THE AGENDA (CONT'D)**

- 09-R-2191 ( 3)     An **Amended** Resolution by Public Safety and Legal  
\*\*\*                   Administration Committee authorizing the Mayor to enter  
                         into a Lease Agreement with Gingko Management, LLC, for  
                         the rental of 300 square feet of office space located at 852  
                         Ralph David Abernathy Blvd., SW, Atlanta, Georgia, for a  
                         Department of Police Zone Four Mini-Precinct, for a one year  
                         period beginning on December 31, 2009, at a rental rate of  
                         \$1.00 per year, to be charged to and paid From Fund,  
                         Account and Center Number 1001 (General Fund), 240412  
                         (APD Police Precinct Zone 4), 5223102 (Operating/Lease  
                         Rental Land), 3223000 (Patrol); and for other purposes.  
                         **(Councilmember Winslow made a motion to approve as  
                         amended.)**

**FAVORABLE AS AMENDED**

- 09-R-2192 ( 4)     A Resolution by Public Safety and Legal Administration  
\*\*\*                   Committee authorizing the acceptance of \$325,000.00 as full  
                         compromise settlement of the City of Atlanta's Claim for  
                         losses suffered due to the embezzlement of City funds by  
                         former employee, Mr. Jonathan Dobb, USDOJ Case No.  
                         1:02-CR-386; collected funds will be deposited into Fund,  
                         Account, General Fund 1001, Default Revenue, Department  
                         000002, Recoveries 3890007; and for other purposes.  
                         **(Councilmember Hall made a motion to approve.)**

**FAVORABLE**

**Claims with favorable recommendations:**

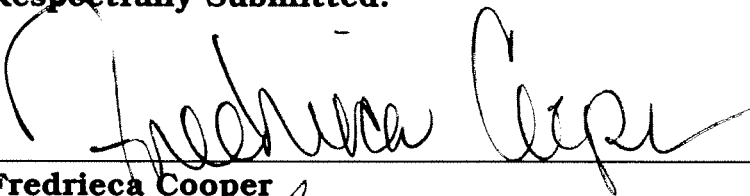
- 09-R-2193 ( 5)     Claim of **Maurice Dallas**, for vehicular damages alleged to  
\*\*\*                   have been sustained from an automobile accident on July 1,  
                         2009 at 2135 Donald Lee Hollowell Parkway, NW.  
                         **\$1,150.00**
- 09-R-2194 ( 6)     Claim of **Michael Setzer**, for vehicular damages alleged to  
\*\*\*                   have been sustained when a garbage truck struck an HVAC  
                         unit during a route pickup on July 30, 2009 at 499-L  
                         Moreland Avenue, NE. **\$1,865.00**  
                         **(Councilmember Hall made a motion to approve Items  
                         5&6.)**

**FAVORABLE**

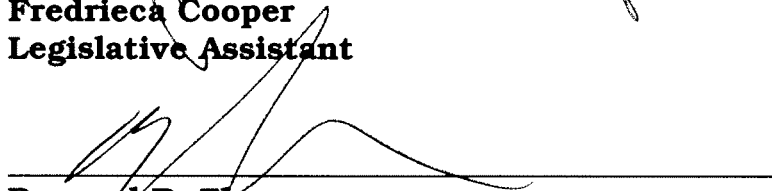
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**There being no further business to come before the Committee, the meeting was adjourned at 5:02 p.m.**

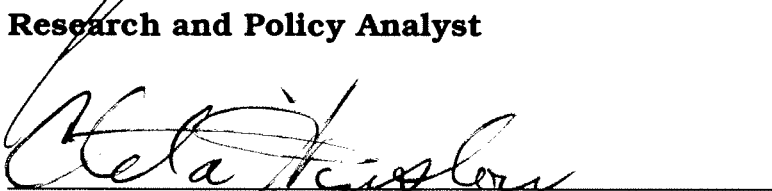
**Respectfully Submitted:**



**Fredriea Cooper**  
**Legislative Assistant**



**Bernard R. Thomas**  
**Research and Policy Analyst**



**The Honorable Cleta Winslow, Chair**  
**Public Safety and Legal Administration Committee**